

JAP:MMH

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

12M770

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UNITED STATES OF AMERICA

- against -

VICTOR BONEFONT,

Defendant.

PRE-ARRAIGNMENT
C O M P L A I N T
(21 U.S.C. §§ 952(a)
and 960)

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EASTERN DISTRICT OF NEW YORK, SS:

JOHN MOLONEY, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about August 19, 2012, within the Eastern District of New York and elsewhere, the defendant VICTOR BONEFONT did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant

1. On August 19, 2012, the defendant VICTOR BONEFONT arrived at John F. Kennedy International Airport ("JFK") in Queens, New York, aboard JetBlue Airlines Flight 838 from Santiago, Dominican Republic. VICTOR BONEFONT was selected for a routine bag examination by a Customs and Border Protection ("CBP") Officer.

2. During an examination, VICTOR BONEFONT gave inconsistent answers to routine customs questions. Specifically, the defendant stated that he had traveled to the Dominican Republic for a week to visit his daughter and had made several trips in the past to the Dominican Republic, always returning to Miami, Florida, where he lives with his sister. He also stated that he was coming to stay in the Bronx, New York to visit a friend and to see a doctor about his fractured hip. However, when contacted, VICTOR BONEFONT's sister stated that she did not know where VICTOR BONEFONT was traveling.

3. CBP officers conducted an inspection of the defendant's luggage and a pat down of the defendant, both of which yielded negative results. VICTOR BONEFONT started exhibiting nervous behavior. During a further interview, VICTOR BONEFONT stated that he had swallowed 56 pellets of an unknown substance to be delivered to the United States.

facts and circumstances of which I am aware.

4. The defendant VICTOR BONEFONT was presented with an x-ray consent form, which he indicated that he understood and voluntarily signed. The defendant VICTOR BONEFONT was transported to the medical facility at JFK, where an x-ray was taken of defendant's intestinal tract. The x-ray was positive for foreign bodies.

5. On August 19, 2012, the defendant VICTOR BONEFONT passed three pellets, one of which field-tested positive for the presence of heroin. The defendant was then placed under arrest.

6. Defendant VICTOR BONEFONT will be detained at the JFK medical facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully requests that defendant VICTOR BONEFONT be dealt with according to law.

John M Moloney
John Moloney
Special Agent
HSI

Sworn to before me this
20th day of August, 2012

HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK